



## HB 6724 – AN ACT CONCERNING UTILITY CUSTOMER PAYMENT PLANS AND EXTENDING THE SHUTOFF MORATORIUM

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Dear Senator Needleman, Representative Steinberg, and Members of the Energy and Technology Committee:

The Center for Children's Advocacy **strongly supports** the urgently needed humane revisions to existing low-income protections in HB 6724.

My name is Bonnie Roswig and I come to this work as the Director of the Disability Rights Project of the Center for Children's Advocacy. My daily responsibilities revolve around addressing the range of civil legal needs of financially and medically vulnerable children and their families. However, beyond working to assist families with access to health care, safe and secure housing, adequate education, and prevention of discrimination based on disability, I also work with individuals and families to keep their lights on and their homes warm. This work involves not only assisting these families navigate complex energy programs and policies, but also involves educating medical professionals and social services providers as to the existing landscape of energy support.

I speak today as one of the few attorneys that represents individual clients in the utility hardship process, fighting to connect them with affordable payment arrangements and to keep their service connected. I must begin by reiterating that the current energy landscape for low-income rate payers is bleak. The moratorium from shut off for families designated as low income or "Hardship" customers (under 60% of state median income) was enacted by PURA in 2020 and has been extended through May of 2023. While the utilities terminate service to thousands of customers every month, ***tens of thousands of hardship customers will be subject to termination*** after May 1 because they have not been connected with available protections enacted by this legislature and refined and implemented by PURA. Even if they were aware of these programs, it is my experience that the electric and gas utilities continue to fail to advise customers of these rights, and their customer service process fails to help Connecticut's most vulnerable ratepayers. As you heard from Chairman Gillett at the January 31 Informational Forum, PURA's Consumer Affairs Unit does tremendous work to make up for these customer service failings, but she has found that the call volume is unprecedented. These problems are only more urgent given the recent increases in customer bills.

**Fighting for the legal rights of Connecticut's most vulnerable children**

The proposed modifications to Connecticut General Statutes section 16-262c in this bill are of critical importance to the low-income ratepayers that I represent. In particular:

- The bill revises the existing language governing the Matching Payment Program (MPP). Some of the clarifications codify existing practices (in subsection 1, clarifying that medical protection exists for the customer and members of the same household), but others reinforce that MPP payment arrangements must be ***affordable to the customer***, and not decided as acceptable exclusively by the utility company (in subsection 4).
- In addition, revisions to subsection 5 would expand the time for PURA's annual review of the complex programs that impact low income ratepayers. This change is needed to provide PURA with additional time to evaluate programs, review current trends, incorporate stakeholder recommendations and if necessary order changes effective prior to November 1, when the new MPP Program Year begins.
- New subsection 9 allows PURA to expand reasonable amortization agreements from 12 months to 36 months (or longer) if necessary. The pandemic and the unprecedented rise in utility rates has resulted in significant arrearages for customers in a range of economic classes. In order for a customer to pay their back bill, a payment plan must be affordable and given the economic climate, many will not be able to repay those arrearages in addition to their monthly bills over a 12-month period. It is counterintuitive to deny a customer the opportunity to pay something on pay a back bill. Even more counterintuitive is the refusal of a company to accept an amount that the customer can afford if it will result in the customer having their service terminated.
- New subsection 10 allows PURA to dedicate public service company funds to legal representation of customers. Again, as one of the few attorneys that represents individual clients, I strongly agree that at risk ratepayers ***require legal support*** when they seek to avoid termination of service or to connect to an arrearage management program. The task is complex and multi-layered. The attorneys must understand the policy issues that underpin existing programs, must understand existing legal protections, have knowledge of existing energy programs for the low-income ratepayers, appreciate additional outside financial supports (Connecticut Energy Assistance Program funds, etc.) and understand the interplay between energy programs and other state and federal programs for the low-income community. Moreover, the attorney must be able to negotiate with a utility customer service representative ("CSR") and push back when the CSR is not providing complete or accurate information to the customer. Further, the attorney must know how to navigate the appeal process that begins internally at the utility and ultimately ends with an adjudication in front of a PURA Hearing Officer. Representing the ratepayer in this effort is both complex and time consuming, and sophisticated legal support in this area is needed to protect ratepayers against sophisticated corporate utilities. Funding for these services will not just level the playing field, but will connect vulnerable ratepayers with affordable payment arrangements that will decrease unnecessary terminations and likely reduce uncollectible expenses, a financial benefit which ***will flow to all ratepayers***.
- New subsection 11 will extend PURA's Shut-Off Moratorium through October 31, 2023, (and therefore runs to the beginning of the existing Winter Moratorium that begins on November 1). This language temporarily cures an existing gap – a gap that results in hardship customers living without utility service from May 1 through October 31 because there are no existing affordable payment options during this time. In order to address this

problem, as part of the Take Back Our Grid Act, the legislature directed PURA to consider a ***low-income discount rate***, which is scheduled to go into effect in 2024. Despite the extensive efforts of Chairman Gillett and her staff to craft a workable payment framework, we are still faced a lack of options for 2023. Extending the moratorium from termination of service for hardship customers will work to cure that gap in the short term.

Finally, while these reforms will be particularly needed in 2023, there is evidence of a systemic problem whereby Connecticut's utilities do not serve their most vulnerable customers. The statutory changes included in this bill as well as new options, such as a low-income discount rate may help, but the status quo cannot continue. The public service companies – recipients of record breaking profits<sup>1</sup> – must start to truly ***serve the public*** and stop fighting against customers and PURA at every turn.

Very truly yours,

Bonnie Roswig

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<sup>1</sup> See, e.g., *CT Insider Eversource doubles pay for CEO as 'skyrocketing' electric bills hit customers*, <https://www.ctinsider.com/business/article/eversource-ct-nolan-ceo-executive-compensation-17785534.php>.